

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Julio De La Cruz, *on behalf of himself and others*  
*similarly situated in the proposed FLSA*  
*Collective Action,*

Case No.: 22-cv-05080

*Plaintiff,*

**FED.R.CIV.P. 68 JUDGMENT**

*- against -*

856 River Ave. Rest. Corp., Georgios Manesis,  
Stamatios Manesis, and Vasilios Manesis,

*Defendants.*  
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WHEREAS, pursuant Rule 68 of the Federal Rules of Civil Procedure, Defendants 856 River Ave. Rest. Corp., Georgios Manesis, Stamatios Manesis, and Vasilios Manesis (collectively, the “Defendants”), having offered to allow Plaintiffs Julio De La Cruz and Wally Sepulveda (together, the “Plaintiffs”) take a judgment against the Defendants in this action for the total sum of Forty-Eight Thousand Dollars and zero cents (\$48,000.00), payable as follows:

1. A payment in the amount of Forty-Eight Thousand Dollars and zero cents (\$48,000.00) payable on or before January 3, 2023,

inclusive of reasonable attorney’s fees, costs, and expenses, and apportioned to the legal representation of Plaintiff, for Plaintiff’s claims against Defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action,

WHEREAS, in the event of Defendants’ failure to make any payment when due as set forth above, the breach shall result in accelerated payment of Seventy-two Thousand Dollars and zero cents (\$72,000.00), together with all costs and attorneys’ fees incurred by Plaintiffs in connection with any efforts to enforce any Judgment, less any payments made by Defendants as set forth herein. Defendants acknowledge and agree that this calls for a judgment in a greater

amount than the initial judgment amount as a penalty for an uncured default.

WHEREAS, Plaintiff's counsel having confirmed acceptance of Defendants' offer of judgment, it is,

ORDERED, ADJUDGED, AND DECREED, that Plaintiff has judgment in the amount of Forty-Eight Thousand Dollars and zero cents (\$48,000.00) as against Defendants.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that this action is hereby dismissed with prejudice as against Defendants.

Dated: \_\_\_\_\_, 2023  
New York, New York

SO ORDERED:

\_\_\_\_\_  
U.S.D.J.